

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA )

v. )

Case No. 3:21-MJ- 0083 (ML)

CHARLES THOMAS WAGER, )

Defendant(s) )

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of February 5, 2021 in the county of Broome in the Northern District of New York the defendant(s) violated:

*Code Section*

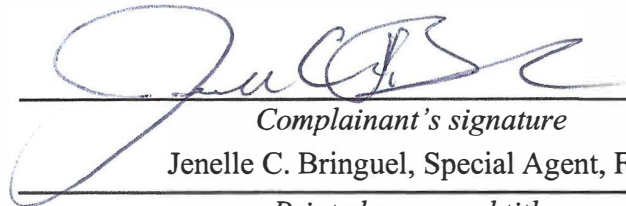
Title 18, United States Code, Section  
2422(b)

*Offense Description*

Using a Facility and Means of Interstate and Foreign  
Commerce to Knowingly Attempt to Persuade, Induce, Entice,  
and Coerce an Individual who has not Attained the Age of 18  
years to Engage in Sexual Activity

This criminal complaint is based on these facts:  
**SEE ATTACHED AFFIDAVIT**

☒ Continued on the attached sheet.



Complainant's signature

Jenelle C. Bringuel, Special Agent, FBI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: February 6, 2021

Judge's signature

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Jenelle Bringuel, having been first duly sworn, do hereby depose and state as follows:

1. I have been employed as a Special Agent of the FBI since June 2012 and am currently assigned to the Albany Division, Binghamton Resident Agency. I am specifically assigned to the Mid-State Child Exploitation Task Force (MSCETF), which targets individuals involved in the on-line sexual exploitation of children. As part of my duties, I investigate crimes involving the sexual exploitation of minors, including sex trafficking of minors and various criminal offenses related to the production, distribution, receipt, and possession of child pornography. I received training on the proper investigative techniques for these violations, including the use of surveillance techniques, undercover activities, and the application and execution of arrest and search warrants. I have conducted and assisted in several child exploitation investigations, and have executed search warrants that have led to seizures of child pornography and undercover operations to identify and locate individuals who seek to engage in sexual activity with minors.
2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18 United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1). As an FBI Special Agent, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including offenses related to the sexual exploitation of minors.
3. I make this affidavit in support of a criminal complaint charging CHARLES THOMAS WAGER with using a facility and means of interstate and foreign commerce to knowingly attempt to persuade, induce, entice, and coerce an individual who has not attained the

age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b).

4. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officers, and on my experience and training as a Special Agent of the FBI. As this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that CHARLES THOMAS WAGER has violated Title 18, United States Code, Section 2422(b).

#### **Details of the Investigation**

5. On or about January 18, 2021, a law enforcement officer acting in an undercover capacity (hereinafter the "UC") posing as the parent of an 10 year-old daughter, posted a description in the "about me" section on a social-networking website located on the internet. The description used language that is commonly associated with individuals seeking to find children for sexual purposes.

6. On that same day, the UC received a message on the social-networking website that read, "Greetings. Interested in talkin about the taboos we share?" The message was from a person with the username "Majik420." The user's location was listed as Albany, New York. The UC responded and asked "What are you into?" to which "Majik420" stated, "Family taboo, definitely! You profile suggests you like it as real as possible." The UC told the user, "My dau<sup>1</sup> is youngg<sup>2</sup>

---

<sup>1</sup> "Dau" is a slang word for daughter.

<sup>2</sup> Based on your affiant's training, experience and knowledge in these types of cases, the word "young" written with multiple "g's" at the end has commonly been used as indicative of someone who is sexually attracted to minors.



though....” and asked if that was something he was into. The user “Maijk420” stated he was and asked the UC if the UC wanted to text directly so the chats were just between them and not on the social-networking site. The UC provided a phone number to “Majik420.”

7. The UC and user “Majik420” (later identified as CHARLES THOMAS WAGER) began exchanging text messages. WAGER told the UC he goes by the name “Lexx,” but that his legal name was “Charles.” WAGER expressed an interest in meeting up to engage in sexual acts with the UC’s daughter. WAGER stated, “You said yours is young...” and the UC replied, “shes 10.” WAGER told the UC he had a female relative and said, “[My relative] & I did everything. Literally.” Wager then said, “She was 14 the first several times.”

8. The UC stated to WAGER, “....this isn’t like roleplay to you or anything right? like im straight up just about the real thing.” WAGER responded, “Definitely not a role play thing.” Later, WAGER stated, “...I’ve often let my mind drift to find a perfect relationship for me and I always wind up with wishing I could find a sweet & cool young girl to teach her about love and to (hopefully) have her love me and her parents(s) bein cool with it. I’d never dreamed I’d find this here in America.” WAGER asked the UC, “When are you planning on talking to her about it?” WAGER also told the UC, “Maybe share the pics I sent ya. The cock one too.”<sup>3</sup> Then WAGER stated, “If she texts me, I can assume it was an exceptional talk.” The UC asked WAGER if he would be open to chatting with the 10-year-old girl, to which he replied “Definitely unto textin with her. It’d be nice to get to know her some before our sleepover.”

9. The following day, WAGER told the UC, “Tempted to message her first (maybe she’s shy about contacting me.) Don’t want to scare her though.” That same day, WAGER sent a text message to a number which WAGER believed belonged to the 10-year-old girl. WAGER then

---

<sup>3</sup> Wager previously sent the UC pictures of himself, which are consistent with criminal history photos of Wager. Wager also sent a picture of an adult male penis, purported to be his penis.

started engaging in text message conversations directly with the 10 year-old girl, portrayed by the UC. WAGER took screenshots of several text message conversations he engaged in with the 10-year-old girl and sent them to the UC posing as the parent to ensure the parent was kept apprised of the conversations with the child.

10. On January 20, 2021, WAGER corresponded directly with the 10-year-old girl. WAGER sent her a three pictures of himself, two of which were cropped from the waist up, wherein WAGER was not wearing any clothes, and a third picture of WAGER sitting in a chair completely nude. WAGER engaged in a text conversation with the girl, part of which is included below:

WAGER:	When you're home, today we're gonna share our bodies with each other and talk about fun stuff we can do.
WAGER:	Just follow what I say and feel free to ask questions. Cool?
10 YO GIRL:	oo kk! wat kinda stuf?
WAGER:	If I send you one now, can you see it without anyone else seeing?
10 YO GIRL:	kk i promise!
WAGER:	Remember your mom showed you how to make you feel good down below? We'll talk some about that, but just between you and I makin each other feel good.
WAGER:	After you see these 2 pics, make sure you delete them.
10 YO GIRL:	kk i will!
WAGER:	Here's one.
WAGER:	[WAGER sent a picture of his unclothed upper body]
WAGER:	Here's another.
WAGER:	[WAGER sent a picture of his unclothed upper body down to his pubic hair]
WAGER:	Want to see the full picture?
10 YO GIRL:	lol ooo wow!
WAGER:	Hope you like what you see so far.
10 YO GIRL:	u gota bigggg beard!
WAGER:	Itz a cool beard though.
WAGER:	Wanna give me a big smile?
WAGER:	If you're still at your friend's house, go to the bathroom and snap a pic like that for me.
WAGER:	Do that and I'll show you some more of my body. Cool?
WAGER:	Hope I didn't scare ya, Princess.
10 YO GIRL:	oo no just hard 2 talk
WAGER:	Ah... Okay. I know you'll be a good girl & snap a topless pic for me as soon as you can. Ready to see more of me?

10 YO GIRL: im not allowed 2 tak those kinda pix uncle lexx im soree  
 WAGER: Talkin with your mom about it now.  
 10 YO GIRL: n ya u coud semd w.e u want ill keeo it a secret  
 WAGER: If she says it's okay, will you?  
 WAGER: Tell me if you like this.  
 WAGER: [WAGER sent nude picture of himself]  
 10 YO GIRL: oo wow,ur privite parts realllly big  
 WAGER: Do you like what you see, baby girl?  
 10 YO GIRL: lol i gues i nevr saw 1 b4  
 WAGER: Want to see more?  
 10 YO GIRL: its ok 4 u 2 send me??  
 WAGER: Huh?  
 10 YO GIRL: is it ok 2 send me pix lik tat?  
 WAGER: As long as itz kept just between me and you delete them after seein them.

11. On that same day, WAGER sent another image of an erect penis to the 10-year-old-girl, purporting it to be his own, and engaged in text conversations with her, part of which is included below:

WAGER: Sounds like your excited for nude private time with Uncle Lexx.  
 WAGER: Talkin with your mom to see if we can get me to you sooner.  
 10 YO GIRL: oo kk!! b fun 2 meet ya, lil nervis bout bein naked wit u  
 10 YO GIRL: nevr seen a boy nakd in real life  
 WAGER: I'll be gentle with ya. You can touch it too. We'll do that to each other and have fun fallin more in love.  
 WAGER: Whatcha think of you & your mom comin over here & I get the three of us a hotel? We can order pizza and have fun together.  
 10 YO GIRL: oo kk...will anythg hurt tat we do?  
 WAGER: Nope. No pain. Only pleasure for my lil girl.  
 WAGER: This is all yours and only for you.  
 WAGER: [WAGER sent nude picture of erect adult male penis]

12. On January 20, 2021, WAGER engaged in the following text message conversation with the 10-year old girl:

10 YO GIRL: oo k....lik wat r we gon a play a game??  
 WAGER: We can play a game. You like cards?  
 10 YO GIRL: i onlee kno how 2 play lik go fish n uno lol  
 WAGER: Under the blankets... I meant us touching each other's private parts and makin each other really, really happy.  
 WAGER: We could play go fish. When one of us loses, we take something off



till we're nkd then we make new rules.  
 10 YO GIRL: oo ok....so just touch our privites ...n lik u sed it wont hurt rite? is tat sex?  
 10 YO GIRL: lol ooo...kk tat mite b fun....lik wat kinda new rulz?  
 WAGER: Nah. That's almost sex. Some sex is like me using my mouth on your pussy (you will really love that) and you using your mouth on my dick (I'll love that).  
 WAGER: Oh... Like (after we're nkd) if you lose then you play with mine or use your mouth on it. If I lose I'll do that to you. Only for a few minutes then another hand of go fish.  
 WAGER: Nah. Touchin and usin our mouths won't hurt at all. I promise.  
 WAGER: Give each other massages too. Can make that a choice for the winner to get.  
 WAGER: By the way, it's okay for you to say pussy and dick with me.  
 WAGER: Excited, Princess?  
 WAGER: We'll take a bath together too.

13. A short while later, WAGER continued the conversation with the 10-year-old girl, as depicted below:

WAGER: How ya feelin about everything?  
 10 YO GIRL: stil lil nervis but sounds like game wil b fun! i lik winnin stuf lol  
 WAGER: Looks like I'll be kissin you down there more than you'll be havin mine in your mouth. Maybe you'll intentionally lose once or twice.  
 WAGER: I suck at cards.  
 10 YO GIRL: lol ooo y cuz u want me 2 lik put ur privite in my mouth?  
 WAGER: I would love you to do that.  
 10 YO GIRL: i nevr did tat to any1...is it yucky?  
 WAGER: Nah. Most girls like it. It's a bit weird while ya learn, but it's awesome. Want me to use my mouth on yours first so you know how awesome it feels?  
 10 YO GIRL: um kk mayb....n its ok to lik put ur mouth on privite parts? wont it taste like pee lol  
 WAGER: Nah. Doesn't taste like pee at all.  
 WAGER: Do you know what cum is yet?  
 10 YO GIRL: um no im soree im sucha dork  
 WAGER: It's okay. I'm your teacher too, baby girl.  
 WAGER: Have you been touchin yourself down there like your mom taught ya?  
 WAGER: I'm a dork too.  
 WAGER: When you're playin with yourself, usin your hand down there.. Have you noticed that it gets wet the more you play?  
 WAGER: Askin so I can better explain to ya.  
 10 YO GIRL: oo cool uncle lexx we can be dorks 2getr!  
 10 YO GIRL: n um not realy....am i sposed 2??  
 WAGER: When a man or a girl cums, that's also called an orgasm. When a girl

WAGER: cums, her pussy gets really, really wet and her body might shake a little. 1st one is a little spooky, but it's the best feelin in the world. You should be playin with yourself. At least once a day. Right before sleep or right after ya pee in the mornin are the best times to do it.

WAGER: Some girls... After a while they have such great orgasms that even their legs get wet with cum. And... For me... I love the taste of of it and I'll swallow as much as I can.

10 YO GIRL: o wow!

WAGER: I'll wait for your reply then I'll tell you how a man cums.

10 YO GIRL: sohnds lil scary but lil fun 2

WAGER: I'm really lookin forward to tastin you.

10 YO GIRL: oo i hope its not lik icky or weird or anythg

WAGER: It's only a lil scary because it's new and you haven't experienced that beautiful sex with anyone yet.

WAGER: Gonna sound kinda weird. I'll send you a pic after I explain some.

10 YO GIRL: o kk!!

WAGER: When you have me in your mouth... Ya use your tongue a lot like givin my dick a massage with you mouth & tongue. You also go up & down on it while also usin your hand up & down.

WAGER: When a man cums, white stuff shoots out and it feels amazing for a man. Sometimes it's a lot, sometimes only a little. Sometimes it shoots out quick and sometimes just dribbles out. It's not pee. It's sperm. Also simply called cum.

WAGER: Your 1st time, I won't cum in your mouth. I'll cum on you and I'm sure some will land on me too. After that, you'll lick some with your tongue to get used to the taste. It's kinda think like pancake syrup. Sometimes it's salty tastin and sometimes sweet like fruit.

WAGER: I'll pause and wait for your response.

10 YO GIRL: o wow....sounds a lil icky uncle lexx

WAGER: Here's an pic of a very good girl gettin her reward.  
[WAGER sent a GIF of an adult male penis ejaculating in a female's mouth]

10 YO GIRL: hope i do ok...

WAGER: Don't worry about swallowing it the first time. Just taste it. Okay?

WAGER: I know your super excited to learn and try, right?

WAGER: Think of it like drinkin man milk.

10 YO GIRL: kk ill try it i gues....n mom sed this all ok??

WAGER: Yeah. If she sees you doin it she'll be so proud of you.

WAGER: She told me it's one of the 1st things she wants you to learn to do.

14. On January 20, 2021, while making arrangements to meet in person, WAGER told the UC, posing as the parent, "My best suggestion... Well, all I can come up with is... Maybe you & her cruise out here. There's an affordable hotel around the corner (I'll pay for it and your gas, of



course)." The following day, WAGER booked a two night stay at a hotel located in the Albany, NY area from January 28 - 30, 2021 and sent a screenshot of the hotel booking confirmation to the UC.

15. On January 21, 2021, WAGER told the UC, posing as the parent, "If she can't take me inside her, I'll have her ride me rubbin hers on mine. If she can take me inside, I'll start with her on top so she's in control of how much she takes inside her."

16. During the course of WAGER'S conversations with the UC posing as the 10 year old girl, WAGER sent at least thirty-one (31) pornographic images and one (1) pornographic video, nine (9) of which were of WAGER'S genitals. The images sent depicted females, likely adults, but who visually appear very young. In one instance, when the UC, posing as the 10 year old girl, asked WAGER how old the females in the pictures were, WAGER responded, "She's maybe 11. Seems like a very good girl to her Uncle. Just like you wanna be with me, right?" On another occasion, the UC, posing as the 10 year old girl, told WAGER, "oo..ya she lokks lik a grown up lol" and WAGER replied, "She's only like 14. Ya wanna use your mouth on me like she is on her dad?"

17. On January 25, 2021, the UC told WAGER the 10 year old girl had become ill. WAGER suggested he cancel the hotel room reservation and they reschedule the meet so the 10 year old girl would be feeling 100% when they were able to meet so WAGER could engage in sex with her. WAGER and the UC made arrangements for WAGER to travel to the UC's residence in Broome County, NY on February 5, 2021.

18. On February 5, 2021, WAGER arrived at a residence in Broome County, NY where he had made arrangements to meet the UC and the 10 year old girl. WAGER brought toys he had promised to bring the child, a Blinger and an Easy Bake Oven. WAGER, who is 53 years old, admitted in a Mirandized recorded interview that he was the individual who had been

communicating with the UC since January 18, 2021, via a social networking website and through text messages, and that that he drove from his residence in Castleton on Hudson, New York to the residence to engage in sexual conduct with the child. Wager also told investigators that he sent pictures of his penis to the child “so that when the time came for oral sex that [the child] would be more likely to go through with it.” Wager further admitted that he brought gifts for the child as a reward for chatting with him over the phone and, also, to convince the child to perform oral sex on Wager. Wager admitted to investigators that he is a “pedophile” that has a sexual attraction to young female children between 9-14 years old and that, consistent with his admissions to the UC, he previously sexually abused a female child.


19. The acts that WAGER planned to engage in with the child, as described in his chats with the UC, are crimes punishable under Article 130 of the New York State Penal Law, including but not limited to: Criminal Sexual Act in the First Degree, in violation of New York State Penal Law Section 130.50 (a class B felony), which makes it unlawful for a person 18 years old or more to engage in oral sexual conduct with another person who is less than 13 years old, and Rape in the First Degree, in violation of New York State Penal Law Section 130.35 (a class B felony), which makes it unlawful for a person 18 years old or more to engage in sexual intercourse with another person who is less than 13 years old.

### **Conclusion**

20. Based upon the above information, there is probable cause to establish that CHARLES THOMAS WAGER has violated Title 18, United States Code, Section 2422(b), using a facility and means of interstate and foreign commerce to knowingly attempt to persuade, induce, entice, and coerce an individual who has not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b), and your Affiant requests that a criminal complaint be issued


pursuant to these violations of federal law.

Attested to by your affiant.

  
Jenelle Corrine Bringuel  
Special Agent  
Federal Bureau of Investigation

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on February 6, 2021, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Sworn to me this 6th  
day of February 2021.

  
Hon. Miroslav Lovric  
United States Magistrate Judge